

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

JASON C. MILLS,

Petitioner,

v.

Civ. Act. No. 06-563-SLR

THOMAS CARROLL,

Warden, and **JOSEPH R. BIDEN, III,**
Attorney General for the State of Delaware,

Respondents.

**MOTION FOR EXTENSION OF TIME TO FILE
CERTIFIED STATE COURT RECORDS**

1. The petitioner, Jason C. Mills, has applied for federal habeas relief challenging his June 2005 conviction by a Delaware Superior Court jury of criminal impersonation and possession of a deadly weapon by a person prohibited. D.I. 1. The undersigned filed an answer to the petition on February 9, 2007.

2. By the terms of the Court's order, the respondents are directed to attach to the answer certified copies of the state court records material to the questions raised in the petitioner's appeal.

3. Due to the large volume of record retrieval recently required by prosecutors in the appeals division, the undersigned has been unable to obtain the certified state court records in order to file them contemporaneously with the answer. The undersigned anticipates obtaining and copying the records on or before March 2, 2007.

4. Respondents submit that an extension of time to March 2, 2007 in which to file certified copies of the material portions of the state court records in this case is reasonable.

Respondents submit herewith a proposed order.

/s/ Elizabeth R. McFarlan
Deputy Attorney General
Department of Justice
820 N. French Street
Wilmington, DE 19801
(302) 577-8500
Del. Bar. ID No. 3759
elizabeth.mcfarlan@state.de.us

Date: February 9, 2007

RULE 7.1.1 CERTIFICATION

I hereby certify that I have neither sought nor obtained the consent of the petitioner, who is incarcerated and appearing *pro se*, to the subject matter of this motion.

/s/ Elizabeth R. McFarlan
Deputy Attorney General

Counsel for Respondents

Date: February 9, 2007

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Attorney General for the State of Delaware,

Respondents.

ORDER

This ____ day of _____, 2007,

WHEREAS, respondents having requested an extension of time in which to file certified state court records, and

WHEREAS, it appearing to the Court that the requested extension is timely made and good cause has been shown for the extension,

IT IS HEREBY ORDERED that certified state court records shall be filed on or before March 2, 2007.

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2007, I electronically filed this motion for extension of time to file certified state court records and attachments with the Clerk of Court using CM/ECF. I also hereby certify that on February 9, 2007, I have mailed by United States Service, two copies of the same documents to the following non-registered participant:

Jason C. Mills
SBI No. 367691
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

/s/ Elizabeth R. McFarlan
Deputy Attorney General
Department of Justice
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Wilmington, DE 19801
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